

SENATE BILL 318

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SB 278/02 - B&T

2003 Regular Session
3r1503
CF 3r2507

By: **Senator Lawlah**
Introduced and read first time: January 31, 2003
Assigned to: Budget and Taxation

Committee Report: Favorable
Senate action: Adopted
Read second time: March 21, 2003

CHAPTER _____

1 AN ACT concerning

2 **State Police Retirement System - Disability Retirements**

3 FOR the purpose of establishing procedures for granting ordinary disability
4 retirement allowances to certain former members of the State Police Retirement
5 System; and generally relating to disability retirement allowances for former
6 members of the State Police Retirement System.

7 BY repealing and reenacting, with amendments,
8 Article - State Personnel and Pensions
9 Section 29-105
10 Annotated Code of Maryland
11 (1997 Replacement Volume and 2002 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - State Personnel and Pensions**

15 29-105.

16 (A) The Board of Trustees shall grant an ordinary disability retirement
17 allowance to a member if:

18 (1) the member has at least 5 years of eligibility service; and

19 (2) the medical board certifies that:

1 (i) the member is mentally or physically incapacitated for the
2 further performance of the normal duties of the member's position;

3 (ii) the incapacity is likely to be permanent; and

4 (iii) the member should be retired.

5 (B) THE BOARD OF TRUSTEES SHALL GRANT AN ORDINARY DISABILITY
6 RETIREMENT ALLOWANCE TO A FORMER MEMBER OF THE STATE POLICE
7 RETIREMENT SYSTEM IF:

8 (1) THE MEMBER WAS TERMINATED AS UNFIT FOR DUTY ON OR AFTER
9 AUGUST 1, 1990;

10 (2) THE SECRETARY OF THE STATE POLICE COMPLETED AN
11 APPLICATION FOR A SPECIAL DISABILITY ON BEHALF OF THE MEMBER UNDER §
12 29-103 OF THIS SUBTITLE OR ARTICLE 88B, § 15(B)(16) OF THE CODE, ON OR BEFORE
13 MAY 1, 1993;

14 (3) THE BOARD OF TRUSTEES DENIED THE MEMBER A SPECIAL
15 DISABILITY RETIREMENT ALLOWANCE UNDER § 29-111 OF THIS SUBTITLE, ON OR
16 BEFORE SEPTEMBER 1, 1995;

17 (4) THE MEMBER WITHDREW THE MEMBER'S ACCUMULATED
18 CONTRIBUTIONS IN THE STATE POLICE RETIREMENT SYSTEM ON OR BEFORE
19 NOVEMBER 1, 1996; AND

20 (5) ON OR BEFORE DECEMBER 31, 2003, THE MEMBER PAYS TO THE
21 BOARD OF TRUSTEES IN A SINGLE PAYMENT THE MEMBER'S ACCUMULATED
22 CONTRIBUTIONS THAT WERE WITHDRAWN FROM THE STATE POLICE RETIREMENT
23 SYSTEM ON OR BEFORE NOVEMBER 1, 1996.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 July 1, 2003.